

5-13-04

1F1W/AF
2841



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Cochran, et al.

TITLE : APPARATUS AND METHOD FOR
PROVIDING SPATIALLY-
SELECTIVE ON-LINE MASS OR
VOLUME MEASUREMENTS OF
MANUFACTURED ARTICLES

APPLICATION NO. : 10/074,370

FILED : February 12, 2002

CONFIRMATION NO. : 5725

EXAMINER : Gibson, Randy W.

ART UNIT : 2841

LAST OFFICE ACTION : November 13, 2003

ATTORNEY DOCKET NO. : PSSZ 2 00073

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed November 13, 2003 finally rejecting claims 1-48.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of an entity other than one claiming small entity status at this time.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$330.00

3. **EXTENSION OF TERM**

☒ Applicants hereby petition the Commissioner under 37 C.F.R. §1.136(a) for a third month extension of time up to and including May 13, 2004 in which to file the accompanying Notice of Appeal (a two-month extension of time was submitted along with an Amendment on February 13, 2004 accompanied by a check in the amount of \$420.00). The amount of \$530.00 for the extension fee is enclosed herewith. Applicants request any additional extensions of time that may be necessary and authorize the extension of time fees or any deficiency in fees herewith to be charged to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

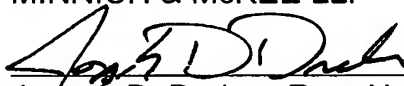
The total fee due is:

Notice of Appeal Fee:	<u>\$330.00</u>
Extension of Time Fee:	<u>\$530.00</u>

5. **FEE PAYMENT**

Attached is a check in the amount of \$330.00 and a check in the amount of \$530.00. If any additional extension and/or fees are required this is a request therefor and charge Deposit Account No. 06-0308.

Respectfully submitted,
FAY, SHARPE, FAGAN,
MINNICH & McKEE LLP




Joseph D. Dreher, Reg. No. 37,123
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2579
(216) 861-5582

CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

- ☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
EL 964427309 US
Date
May 12, 2004

Signature

Printed Name
Roseanne Giuliani